

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Establishment of Rules Governing Procedures To Be Followed When Informal Complaints Are Filed by Consumers Against Entities Regulated By the Commission	)	CI Docket No. 02-32
	)	
Amendment of Subpart E of Chapter 1 of the Commission's Rules Governing Procedures to Be Followed When Informal Complaints Are Filed Against Common Carriers	)	CC Docket No. 94-93
	)	
2000 Biennial Regulatory Review	)	CC Docket No. 00-175

**REPLY COMMENTS OF NEXTEL COMMUNICATIONS, INC.**

Nextel Communications, Inc. ("Nextel") respectfully submits this Reply in response to the Federal Communications Commission's (the "Commission") Notice of Proposed Rulemaking (the "*Notice*") in the above referenced proceeding.<sup>1</sup> Nextel's initial comments to the *Notice*, filed on May 16, 2002, recommended adoption of a few minor changes to the Commission's Rules governing informal complaints filed against carriers.<sup>2</sup> Other commenters raised similar concerns, as described herein.

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<sup>1</sup> In the Matter of Establishment of Rules Governing Procedures to Be Followed When Informal Complaints Are Filed by Consumers Against Entities Regulated by the Commission, Amendment of Subpart E of Chapter 1 of the Commission's Rules Governing Procedures to Be Followed When Informal Complaints Are Filed Against Common Carriers, *Memorandum Opinion and Order And Notice of Proposed Rulemaking*, \_\_\_\_ FCC Rcd \_\_\_\_, FCC 02-46 (rel. February 28, 2002) (the "*Notice*").

<sup>2</sup> Comments of Nextel Communications, Inc., filed May 16, 2002 ("Nextel Comments").

Many commenters supported revisions to the Commission's Rules that would increase consumer responsibility to supply the Commission (and the carrier) with sufficient background information for the carrier to address and resolve the informal complaint.<sup>3</sup> This requirement to provide detailed information should also apply to any "online" informal complaints filed by consumers. Like other commenters, Nextel supports the use of electronic filing and routing of informal consumer complaints,<sup>4</sup> provided the consumer's electronic submission includes all the information necessary to effectively resolve the matter. Additionally, Nextel supports other comments regarding the time in which carriers must resolve informal complaints and respond to the Commission. The current rule's provision of 30 days is the minimum reasonable timeframe within which carriers can investigate complaints and provide a written response to the consumer and the Commission.

**I. THE COMMISSION SHOULD FACILITATE "ONLINE" COMPLAINTS, PROVIDED CONSUMERS INCLUDE ALL NECESSARY INFORMATION IN THEIR ONLINE SUBMISSIONS.**

Like Nextel, others commented that it is not burdensome for a consumer to provide all of the necessary information within the informal complaint prior to such complaint being submitted to the carrier, particularly since such information is necessary for the parties to resolve the matter.<sup>5</sup> As explained by Verizon Wireless, "[b]y adhering to a specific set of basic information requirements, the Commission and its staff will actually expedite resolution of informal

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<sup>3</sup> See e.g., Comments of AT&T Corp. at p. 2; Comments of SBC Communications Inc. at p. 3; Comments of WorldCom Inc. at pp 3-4.

<sup>4</sup> See e.g., Comments of Verizon Wireless at p. 5; Comments of Telecommunications For the Deaf, Inc. at p. 4; Comments of WorldCom, Inc. at p. 3.

<sup>5</sup> See e.g., Comments of WorldCom Inc. at pp. 3-4; Comments of AT&T Corp. at pp. 2-3; Comments of Verizon Wireless at p. 4.

complaints.”<sup>6</sup> Providing information that is readily available to the consumer is not overly burdensome and will serve the public interest by enhancing carriers’ ability to respond quickly and effectively.

The Commission should reject arguments that it is inconvenient for consumers to submit hard copies of bills or other correspondence for electronic or telephonic complaint submission.<sup>7</sup> These assertions ignore the fact that such information may be needed for carriers to investigate and resolve the matter. Failing to include such information in the original submission will result in additional research by the carrier and attempts to gather that data later in the process, resulting in unnecessary delays for the consumer. Ultimately, these delays result in customer dissatisfaction with the Commission’s complaint process.

## **II. THE COMMISSION SHOULD PROVIDE CARRIERS, AT A MINIMUM, THIRTY DAYS TO RESPOND TO INFORMAL COMPLAINTS.**

Some commenters recommended that the Commission reduce the current 30-day time period for resolving complaints<sup>8</sup> while others sought additional time within which to provide a response to the Commission.<sup>9</sup> Nextel’s experience supports the need for at least 30 days to investigate the issues, contact the customer, resolve the matter and draft a response. Any shorter

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<sup>6</sup> See Comments of Verizon Wireless at p. 4.

<sup>7</sup> See Comments of National Association Of State Utility Consumer Advocates at p. 9.

<sup>8</sup> See Comments of the Office Of The People’s Counsel For The District Of Columbia at p. 6, asserting 20 days is sufficient for resolving complaints.

<sup>9</sup> See Comments of WorldCom, Inc. at p. 4, arguing that 20 days is not sufficient and carriers should have at least 30 days to respond.

timeframe, such as 20 days,<sup>10</sup> does not give the carrier sufficient time to provide a full and complete description of the issues and their resolution. Therefore, to enhance the informal complaint process and ensure that consumers and the Commission receive a more accurate description of the facts surrounding the resolution of the complaint, the Commission should give carriers, at a minimum, 30 days to respond to informal consumer complaints.

### **III. CONCLUSION**

As described herein, Nextel supports limited revisions to the Commission's informal complaint process.

Respectfully submitted,

**NEXTEL COMMUNICATIONS, INC.**

/s/\_\_\_\_\_

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<sup>10</sup> See Comments of Office of the People's Counsel For the District of Columbia at p. 6 (contending that twenty days is sufficient for carrier response).